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RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Kumar et al.
Applic No.: 09/136,483
Filed : August 19, 1998
For : ALUMINUM OXIDE PARTICLES
Docket No.: N19.12-0016

Group Art Unit: 1755
Examiner: M.
Marcheschi

INTERVIEW SUMMARY

Assistant Commissioner for Patents
BOX AF
Washington, D.C. 20231

I HEREBY CERTIFY THAT THIS PAPER IS
BEING SENT BY U.S. MAIL, FIRST
CLASS, TO THE ASSISTANT
COMMISSIONER FOR PATENTS,
WASHINGTON, D.C. 20231. THIS

15 DAY OF September, 2000.
Robert J. Dardi
PATENT ATTORNEY

Sir:

Applicants thank the Examiner for the courtesy extended to their undersigned representative in a telephone interview on August 11, 2000. The Examiner explained his position that all of the cited references disclosed particles sizes within the claimed range. Applicants argued that the narrow particle size distribution was a feature not disclosed in the prior art and could not be practiced based on the teachings in the prior art. Applicants suggested an analysis based on a reference by reference review. The Rostoker patent was discussed. No agreement was reached since the Examiner maintained his position that the claimed uniform materials were embedded within the less uniform materials disclosed in the prior art.

An Appeal Brief was filed on August 30, 2000. The Appeal is pending.

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The Director of the Patent and Trademark Office is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

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